W.P. No. 1389 of 2006 (S/S)
WITH
Stay App. No. 13720 of 2006
Hon. Prafulla C. Pant, J.

Heard Shri Vikas Pande, learned counsel for the petitioner, and learned Standing Counsel.

Petitioner, and In-charge Horticulture Mobile Unit, Gadarpur, District Udham Singh Nagar, has been transferred vide order dated 30.06.2005 as In-charge Horticulture Unit Bhikyasain, District Almora, has sought writ in the nature of certiorari quashing Annexure-2 i.e. order dated 13.06.2006, whereby he has been directed to join immediately his new assignment.

Learned counsel for the petitioner, has submitted before this Court that petitioner met with an accident and his leg was fractured, as such it would take another two months to be completely fit to join the new assignment. The impugned order dated 13.06.2006, itself shows that due to fracture in the leg of the petitioner, the time to join new assignment was extended by the Director, Horticulture and in the opinion of said authority, now the petitioner is fit to join his duties.

Considering the medical certificate, annexed in support of the petition, in the interest of justice, this writ petition is disposed of with the direction that the petitioner shall be allowed to join his new posting at Bhikyasain, District Almora by 14.01.2007. The authority concerned shall be at liberty to take action if the petitioner fails to join his duties by 14.01.2007. The writ petition stands disposed of. (All pending applications also stand disposed of).

Dt. 14.11.2006 (P.C. Pant, J.)
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